

**United States Bankruptcy Court
Central District of California
Northern Division
Deborah Saltzman, Presiding
Courtroom 201 Calendar**

Tuesday, April 5, 2022

Hearing Room 201

11:30 AM

9: -

Chapter

#0.00 All hearings on this calendar will be conducted remotely, using ZoomGov video and audio.

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Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Northern Division
Deborah Saltzman, Presiding
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Tuesday, April 5, 2022

Hearing Room 201

11:30 AM

9:21-11255 JP Ramble, LLC

Chapter 11

#1.00 Hearing
RE: [12] Notice of Motion and Motion in Individual Ch 11 Case for Order
Employing Professional (LBR 2014-1): Michael R. Totaro and Totaro &
Shanahan as General Insolvency Counsel w pos

FR. 3-8-22

Docket 12

Tentative Ruling:

The amended application (Docket No. 37) has some revisions to address the source of the retainer, but the court still has questions and concerns.

Paragraphs 5 and 6 of the application describe the prepetition compensation -- there was a \$12,000 retainer about which the following questions remain and/or are raised by the application:

(1) When is the debtor's manager, who advanced the retainer, going to decide whether it is a gift or a loan, and why wasn't that decision made prepetition?

(2) \$10,000 is an "agreed upon fee" that is part of the retainer. What does it mean that it is an "agreed upon fee," if counsel says also that there is a signed agreement "for this amount which includes the hourly rate of \$550.00 for attorneys and \$150.00 for paralegals." How is it an agreed fee, if also agreed to be billed hourly?

(3) The foregoing apparently relates only to prepetition work. The application says that the \$10,000 "is to cover pre-petition services," that the retainer was earned on receipt, and that any work in excess of \$10,000 would be pro bono. By now, counsel should know whether or not \$550/hr was covered by \$10,000 for prepetition work. But, in any event, what is the fee arrangement for postpetition work? Nothing in the application explains the terms on which counsel seeks to be employed in this case -- the application just says that "[i]f in the future Debtor and the Firm agree to further fees" court approval will be sought. This reads as though there is no agreement between the debtor and counsel as to postpetition fees.

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CONT... JP Ramble, LLC

Chapter 11

Counsel has filed a motion to withdraw, which has been set for hearing on 4/26/22.

3/8/22 Tentative Ruling:

The debtor seeks to employ Totaro & Shanahan (the "Firm") as its bankruptcy counsel.

There are a number of sloppy elements to the application -- none of them individually would necessarily be fatal, but collectively, they are problematic. The notice states that it is filed on behalf of debtor "New Holland LLC," which must be an error by counsel (New Holland LLC is a debtor in another case in which the firm is counsel). It is also dated 12/27/21 but was not filed until 1/30/22. The petition was filed on 12/28/21, which is the requested effective date. The applicaiton was signed by the debtor with a date of 12/18/21, but dates and case number information were digitally added to the application later.

The application states that a retainer of \$10,000 "has been paid and received," and that "if" the parties agree to further fees, counsel will seek approval from the court under §§ 327, 329, 330, and 331, and that counsel will file a final fee application "in conjunction with the sale of the estate property."

The declaration of the debtor's representative states that there is a "flat fee agreement with a \$12,000 retainer" including the filing fee. Mr. Totaro's declaration, however, states that the parties have agreed to a retainer and an hourly rate.

The Weitz Family Trust filed notice of opposition and request for a hearing in which it objects to the application due to counsel's failure to disclose the source of its retainer. It also questions, implying that the retainer came from the debtor's equity holder, whether the retainer was a loan or a gift, whether it was earned on receipt and whether any unused retainer balance would be returned to the debtor's equity holder. The Weitz Family Trust states that it requested this information and a copy of the retainer agreement, but that its requests were refused.

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CONT... JP Ramble, LLC

Chapter 11

The debtor's response to the opposition was due on 3/1/22. No reply was filed on 3/1/22. The opposition was withdrawn on 3/4/22.

Nevertheless, the Weitz Family Trust raises valid concerns, and the other issues noted above about the fee arrangement should be addressed by counsel to the extent it still seeks to be employed in this case.

Party Information

Debtor(s):

JP Ramble, LLC

Represented By
Michael R Totaro

Movant(s):

JP Ramble, LLC

Represented By
Michael R Totaro

**United States Bankruptcy Court
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Northern Division
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11:30 AM

9:21-10269 Larada Sciences, Inc.

Chapter 11

Adv#: 9:22-01006 Larada Sciences Inc. v. Lice Away Today LLC et al

#2.00 Status Hearing

RE: [1] Adversary case 9:22-ap-01006. Complaint by Larada Sciences Inc. against Lice Away Today LLC, Michelle Cherry. (\$350.00 Fee Charge To Estate). Complaint for Turnover of Property and Objection to Claim No. 10-1 Nature of Suit: (14 (Recovery of money/property - other)), (21 (Validity, priority or extent of lien or other interest in property)), (11 (Recovery of money/property - 542 turnover of property)) (Talerico, Derrick)

Docket 1

***** VACATED *** REASON: Stipulated order entered on 3-7-22. Hearing continued to April 26, 2022 at 11:30am.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Larada Sciences, Inc.

Represented By
Derrick Talerico

Defendant(s):

Lice Away Today LLC

Represented By
Sharon Z. Weiss

Michelle Cherry

Represented By
Sharon Z. Weiss

Plaintiff(s):

Larada Sciences Inc.

Represented By
David B Zolkin
Derrick Talerico

**United States Bankruptcy Court
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11:30 AM

9:17-10808 Mario Ybarra and Sonja Maria Ybarra

Chapter 13

#3.00 CONTD. Hearing
RE: [68] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 934 Colebrook Drive, Santa Maria, California 93458 . (Arnold, Jenelle)

FR. 6-22-21, 8-3-21, 9-14-21, 11-2-21, 12-21-21, 1-18-22, 2-8-22

Docket 68

***** VACATED *** REASON: Case is reassigned to Judge Ronald Clifford.**

Tentative Ruling:

Please update the court.

Party Information

Debtor(s):

Mario Ybarra

Represented By
Jerry Namba

Joint Debtor(s):

Sonja Maria Ybarra

Represented By
Jerry Namba

Movant(s):

Select Portfolio Servicing, Inc. as

Represented By
Jenelle C Arnold

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Deborah Saltzman, Presiding
Courtroom 201 Calendar**

Tuesday, April 5, 2022

Hearing Room 201

11:30 AM

9:17-10892 John T. Harrison, Jr and Jennifer L. Harrison

Chapter 13

#4.00 Hearing
RE: [46] Notice of motion and motion for relief from the automatic stay with
supporting declarations REAL PROPERTY RE: 5004 Snowy Plover Ln,
Guadalupe, CA 93434 . (Lee, Nancy)

Docket 46

***** VACATED *** REASON: Case is reassigned to Judge Ronald Clifford.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

John T. Harrison Jr

Represented By
Michael B Clayton

Joint Debtor(s):

Jennifer L. Harrison

Represented By
Michael B Clayton

Movant(s):

Guild Mortgage Company

Represented By
Nancy L Lee

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
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Tuesday, April 5, 2022

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11:30 AM

9:20-10167 Darryl Lee Gregory and Annette Marie Lozano Gregory

Chapter 13

#5.00 CONT'D Hearing

RE: [62] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 190 Inverness Avenue, Lompoc, California 93436 .

FR. 1-11-22

Docket 62

***** VACATED *** REASON: Case is reassigned to Judge Ronald Clifford.**

Tentative Ruling:

Has the movant discussed a resolution with the debtors?

Party Information

Debtor(s):

Darryl Lee Gregory

Represented By
Chris Gautschi

Joint Debtor(s):

Annette Marie Lozano Gregory

Represented By
Chris Gautschi

Movant(s):

U.S. Bank Trust National

Represented By
Erica T Loftis Pacheco

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, April 5, 2022

Hearing Room 201

11:30 AM

9:18-11505 Jeffrey Scott Lewis

Chapter 7

Adv#: 9:19-01002 Schmitz & Associates, Inc. et al v. Lewis et al

#6.00 CONT'D Status Hearing

RE: [1] Adversary case 9:19-ap-01002. Complaint by Schmitz & Associates, Inc. , Donald W. Schmitz, II against Jeffrey Scott Lewis , Debra Sue Lewis . (Nature[s] of Suit: (62 Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud) (67 Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny) (68 Dischargeability - 523(a)(6), willful and malicious injury) (65 Dischargeability - other))

FR. 3-12-19, 8-16-19, 8-27-19, 11-20-19, 4-29-20, 11-10-20, 5-26-21, 2-22-22

Docket 1

***** VACATED *** REASON: Case is reassigned to Judge Ronald Clifford.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Jeffrey Scott Lewis

Represented By
Kevin T Simon

Defendant(s):

Jeffrey Scott Lewis

Pro Se

Debra Sue Lewis

Pro Se

Joint Debtor(s):

Debra Sue Lewis

Represented By
Kevin T Simon

Plaintiff(s):

Schmitz & Associates, Inc.

Represented By
William C Beall

Donald W. Schmitz, II

Represented By

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CONT... Jeffrey Scott Lewis

William C Beall

Chapter 7

Trustee(s):

Jerry Namba (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
Deborah Saltzman, Presiding
Courtroom 201 Calendar**

Tuesday, April 5, 2022

Hearing Room 201

11:30 AM

9:20-10111 Kiki Leigh Scheiblaue

Chapter 7

Adv#: 9:20-01037 Griffith & Thornburgh, LLP et al v. Scheiblaue

#7.00 CONT'D Status Hearing
RE: [1] Adversary case 9:20-ap-01037. Complaint by Griffith & Thornburgh, LLP,
Paul Capritto against Kiki Leigh Scheiblaue. false pretenses, false
representation, actual fraud)) (Torres, Felicita)

FR. 8-25-20, 11-10-20, 12-9-20, 2-10-21, 8-3-21, 11-9-21, 1-11-22

Docket 1

***** VACATED *** REASON: Case is reassigned to Judge Ronald Clifford.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Kiki Leigh Scheiblaue

Represented By
James Studer

Defendant(s):

Kiki Leigh Scheiblaue

Represented By
James Studer

Plaintiff(s):

Griffith & Thornburgh, LLP

Represented By
Felicita A Torres

Paul Capritto

Represented By
Felicita A Torres

Trustee(s):

Jerry Namba (TR)

Pro Se

**United States Bankruptcy Court
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Tuesday, April 5, 2022

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11:30 AM

9:20-10798 Gregory Scott Franklin

Chapter 13

Adv#: 9:20-01053 Spoodis v. Franklin

#8.00 CONT'D Status Hearing

RE: [1] Adversary case 9:20-ap-01053. Complaint by Michael Scott Spoodis against Gregory Scott Franklin. false pretenses, false representation, actual fraud)),(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)) (Brannan, G)

FR. 7-27-21, 8-17-21, 9-20-21, 12-14-21, 12-23-21

Docket 1

***** VACATED *** REASON: Case is reassigned to Judge Ronald Clifford.**

Tentative Ruling:

Please have some proposed dates in mind for this matter to move forward.

Party Information

Debtor(s):

Gregory Scott Franklin

Represented By
Edwin J Rambuski

Defendant(s):

Gregory Scott Franklin

Pro Se

Plaintiff(s):

Michael Scott Spoodis

Represented By
G Bryan Brannan

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Northern Division
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Tuesday, April 5, 2022

Hearing Room 201

11:30 AM

9:21-11140 Rudi Leo Londt

Chapter 13

Adv#: 9:22-01008 HSBC BANK USA, NATIONAL ASSOCIATION v. Londt

#9.00 Status Hearing

RE: [1] Adversary case 9:22-ap-01008. Notice of Removal by Debtor Rudi Leo Londt (RE: Action Pending in Ventura Superior Court, Case No. 56-2020-00539801-CL-UD-VTA, (Attachments: # 1 2 of 3 # 2 3 of 3) Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer))

Docket 1

***** VACATED *** REASON: Case is reassigned to Judge Ronald Clifford.**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rudi Leo Londt	Pro Se
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Defendant(s):

Rudi Leo Londt	Pro Se
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Plaintiff(s):

HSBC BANK USA, NATIONAL	Pro Se
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Trustee(s):

Elizabeth (ND) F Rojas (TR)	Pro Se
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